

CATTLE TRESPASS, FENCING, AND IMPOUNDING.

6° Elizabeth II., No. XLVI.

No. 46 of 1957.

**AN ACT to amend the Cattle Trespass, Fencing,
and Impounding Act, 1882-1952.**

[Assented to 26th November, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Cattle Trespass, Fencing, and Impounding Act Amendment Act, 1957.*

Short title
and citation.

(2) In this Act, the Cattle Trespass, Fencing, and Impounding Act, 1882-1952,

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Act 46 Victoriae, No. 7 as reprinted with amendments to and including Act No. 60 of 1952 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Cattle Trespass, Fencing, and Impounding Act, 1882-1957.

S. 30
amended.

2. Section thirty of the principal Act is amended—

(a) by adding after the section designation, “30” the subsection designation, “(1)”;

(b) by adding after the word, “shall” in line two and again in line eight, the passage, “, subject to subsection (3) of this section,”;

and

(c) by adding the following subsections:—

(2) A council of a municipality under the Municipal Corporations Act, 1906, and the board of a road district under the Road Districts Act, 1919, may, with the approval of the Governor make by-laws prescribing what constitutes a sufficient fence for the purposes of this Act throughout the whole of the district of the council or, as the case may be, of the board, or what constitutes a sufficient fence for any part or parts of the district, and so that fences of different classes may be prescribed as sufficient fences for different parts of the district.

(3) Where a by-law so prescribes what constitutes a sufficient fence throughout the whole, or, as the case may be, in any part, of a district, then notwithstanding

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subsection (1) of this section, the term, "sufficient fence" used in this Act shall be construed to mean a fence which throughout the whole, or, as the case may be, in that part, of the district is of the kind or class prescribed.
